

Honorable Randolph Baxter

(Visiting Judge from N. D. Ohio)

824 N. Market Street

Wilmington, Delaware 19801

Courtroom Deputy/Scheduling: Nancy Hunt at (302-252-2883)

All matters are heard in Courtrooms on the 5th or 6th floor, 824 N. Market Street

The following general procedures are to be followed in all cases and proceedings assigned to Judge Baxter:

1. JUDGE'S SCHEDULE - All matters regarding Delaware cases assigned to the Judge are to be handled through the Judge's Delaware staff.

Judge Baxter is presently scheduled to be in Wilmington one week a month, as follows:

| MONTH IN 2005 | THE WEEK STARTING |
|----------------------|--------------------------|
| May | 16th |
| June | 13th |
| July | 25th |
| August | 22nd |
| September | 26th |

2. APPLICABLE RULES - The Local Rules for the United States Bankruptcy Court for the District of Delaware will govern all procedural aspects of the case.

3. SENDING DOCUMENTS TO CHAMBERS - Nothing is to be sent to Ohio chambers unless specifically directed; nothing is to be sent by facsimile to chambers, Ohio or Delaware, unless specifically directed.

4. SCHEDULING MATTERS FOR HEARINGS - (a) Generally, all matters are to be scheduled for hearing in Wilmington. If there are matters, which, out of necessity, must be heard on a day other than during a week when the Judge is sitting in Wilmington, Judge Baxter may consider hearing such matter by video conference or telephone at one of his chambers in Ohio. (b) when the Judge is in Ohio, a request for a hearing by telephone or video conference must be submitted initially to the Judge's Delaware staff. These requests will not be routinely granted, and are reserved for the rare emergency situation when the matter cannot be postponed and a Delaware judge is not available.

5. TELEPHONIC HEARING APPEARANCES - All requests for telephonic court appearances must be made through CourtCall, LLC

-For information, instructions and fees, please visit the Court's website at www.deb.uscourts.gov

-All reservations for telephonic court appearances must be made no later than 12:00 noon two business days prior to the scheduled hearing.

-PLEASE DO NOT CALL CHAMBERS.

6. HEARING AND FEE BINDERS - Agendas and binders, including all papers related to all agenda items, shall be submitted **by 12:00 noon seven business days prior to the hearing**. **Counsel is to include two prepaid Federal Express shipping forms with all hearing binders**. All agendas are to be electronically filed with the Clerk of the U.S. Bankruptcy Court and must be emailed in .pdf format to Nancy_Hunt@deb.uscourts.gov. Chambers must be notified as soon as possible of any matters that have resolved and/or are not going forward in the hearing. Separate binders related to fee applications must be submitted **two weeks prior** to the hearing (please do not submit a separate binder for each professional).

7. EXTENDED HEARINGS - The Judge's Delaware staff must be notified immediately if an omnibus hearing is expected to last longer than one hour or if an evidentiary hearing will be held.

8. ADJOURNMENTS/CONTINUANCES - **Once the agenda has been submitted, matters may only be continued or rescheduled for cause with approval of the Court. An appropriate Motion and Order must be filed and submitted to chambers.**

9. MOTIONS AND OBJECTION DEADLINES - All motions need to be filed 20 days (23 if served by mail) before the hearing. All objection deadlines need to be at least **nine business days** before the scheduled hearing. If the objection deadline falls after the **ninth business day**, the motion will not be heard until the next scheduled hearing.

10. BRIEFS AND MEMORANDA - All briefs and memoranda (in main bankruptcy case and in adversary proceedings) must comply with District Court Local Rule 7.1.3 (form and extent of briefs). No objection to, and no briefs (or memoranda) in support of, confirmation shall exceed 40 pages.

11. ORDERS - All Orders are processed and docketed in the Delaware Bankruptcy Court. Please do not contact Ohio chambers for the status of Orders. All Orders submitted following a hearing should be accompanied by a Certification of Counsel (see Local Rule 9013-1(j)) and promptly filed. No bare Orders or letters will be considered. If Orders are not submitted promptly after a hearing, there may be a delay in the entry of the Order. All proposed Orders shall, in the caption, reference the motion and the docket number of the motion.

12. STIPULATIONS - All stipulations must show the original signatures of the parties and have attached a separate proposed Order. "So Ordered" clauses are unacceptable.

13. CERTIFICATE OF NO OBJECTION - Certificate of No Objections should be filed no sooner

than 48 hours after the objection deadline has passed. This waiting period allows for any paper filing to be entered on the docket.

14. FEE APPLICATIONS - All fee applications will be considered in accordance with the respective Administrative Order entered in each case and under the Local Rules for the U.S. Bankruptcy Court for the District of Delaware. Unless the respective Administrative Order provides otherwise, no orders will be signed regarding the payment of the 80% monthly fees and monthly expenses. Hearings for interim applications will be scheduled on Omnibus Hearing dates and the date for hearing must be approved by the Judge's courtroom deputy at least one month prior to the hearing. If they are not approved by the Judge's courtroom deputy, they **will not** be heard. All interim fee applications (including quarterly applications) will be heard on one date. To the extent possible, all fee applications to be heard on a particular date shall cover only services rendered during the concurrent period(s).

Despite the absence of any objection to a fee application, a representative of the Applicant who is familiar with the services rendered and costs incurred which are the subject of the Application shall appear in person at such hearing in support of the Application. If such person is not local to the Court, such person may make prior arrangements with the Judge's courtroom deputy to participate by telephone conference.

Incident to the hearing the debtor shall prepare and submit a cumulative summary columnar schedule which shall set forth the following: (1) the names of the various fee applicants and their clients; (2) the amount(s) of fees and expenses previously sought and approved for each listed applicant; (3) the amounts of fees and expenses currently being sought by each listed applicant; and (4) the column totals.

Dated: July 1, 2005